IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5157 OF 2004

Naresh Ananda Wadkar & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr.V.V.Purwant for Applicants.

Mr.S.R.Shinde, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

NOVEMBER 29, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. Insofar as Applicant No.1 is concerned, there is direct material implicating him, who was the husband of the deceased Nita. So far as the prayer for bail of Applicant No.1 is concerned, the same deserves to be rejected, having regard to the seriousness of the offence and overwhelming material to ascribe his involvement, as has been

noted by the Court below while rejecting the application for bail preferred by him.

3. However, insofar as Applicant No.2, who was brother-in-law of the deceased Nita is concerned, learned A.P.P. fairly accepts that general allegation against relatives of husband/Applicant No.1 have been made in the F.I.R. and also the material collected during investigation. No specific role has been ascribed to Applicant No.2. The investigation is complete and charge-sheet is also filed. Besides, for the reasons already recorded above coupled with the fact that the Applicant No.2 is of a tender age, the Applicant No.2 deserves to be enlarged on bail on the following conditions:

(a) The Applicant No.2 Umesh Ananda Wadkar is enlarged on bail in connection with C.R.No.98/04 registered with Wai Police Station on executing personal bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with two local sureties in the like amount.

(b) The Applicant No.2 Umesh Ananda Wadkar shall report to Wai Police Station once in a fortnight on Saturday between 10.00 a.m. and 1.00 p.m. during the trial.

(c) The Applicant No.2 Umesh Ananda Wadkar shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant No.2 Umesh Ananda Wadkar shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which can be a ground for cancellation of bail.

. The District Judge, Satara, is directed to assign the case to Fast Track Court to ensure early disposal of the case.

. Application disposed of on the above terms.

A.M.KHANWILKAR, J.